

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	James E. Dahlberg, <i>et al.</i>	Confirmation No.:	1902
Serial No.:	10/740,256	Group No.:	1637
Filed:	12/18/2003	Examiner:	Schultz, James
Entitled:	<b>Detection of Small Nucleic Acids</b>		

**AMENDMENT & RESPONSE TO OFFICE ACTION  
MAILED DECEMBER 30, 2009 AND TO  
NOTICE OF NON-COMPLIANT AMENDMENT  
MAILED APRIL 21, 2010**

**VIA EFS WEB**  
Commissioner for Patents  
**Mail Stop: Amendment**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF EFS WEB TRANSMISSION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted to the United States Patent and Trademark Office transmitted via the Office electronic filing system in accordance with 37 C.F.R. §1.6(a)(4).

Dated: April 21, 2010

By: /Mary Ann D. Brow/  
Mary Ann D. Brow, Reg. No. 42,363

Examiner Schultz,

This communication is responsive to the Notice of Non-Compliant Amendment mailed April 21, 2010.

This amendment is altered only to correct markings of claim amendments and otherwise re-presents the entirety of the prior Amendment and Response to the Office Action mailed December 30, 2009, with response due on or before Tuesday, March 30, 2010. Applicants respectfully request reconsideration in view of the following amendments and remarks.

The Commissioner is authorized by this paper to charge any fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-4302, referencing Attorney Docket No.: FORS-08497. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

In accordance with the procedure for Amendment Practice under 37 C.F.R. §1.121, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in a Listing of Claims that begins on page 3 of this communication.

**Remarks** begin on page 11 of this communication.